

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-19004 - APPLICANT: NEVADA HAND, INC. - OWNER:  
CITY OF LAS VEGAS**

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**\*\* CONDITIONS \*\***

The Planning Commission (6-0-1/rt vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. Conformance to the conditions for Rezoning (ZON-18643) and Site Development Plan Review (SDR-18642) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Special Use Permit for a proposed 90-unit, three-story and 39 foot high assisted living apartment complex at the southwest corner of North Decatur Boulevard and Deer Springs Way.

In the R-3 (Medium Density Residential) District Senior Citizen apartment developments are permitted to exceed the standard height limit to a total of three stories or 40 feet, whichever is less, with approval of a Special Use Permit. The overall increase from the standard height allowed is approximately nine percent. Due to the minor increase in overall height and limited effect on surrounding properties, approval of this request is recommended.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
06/07/06	The City Council approved a General Plan Amendment to amend a portion of the Centennial Hills Sector Plan from ML (Medium-Low Density Residential) to M (Medium Density Residential) at this location. The Planning Commission and staff recommended approval.
01/25/07	<a href="#">The Planning Commission recommended approval of companion items ZON-18643 and SDR-18642 concurrently with this application.</a>  <a href="#">The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #46/ng).</a>
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no permits or licenses related to this site.	
<b><i>Pre-Application Meeting</i></b>	
12/05/06	A pre-application meeting was held. Parking, landscaping, and residential adjacency requirements were noted. Submittal requirements were discussed.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required for this portion of the proposed project. It is noted that a neighborhood meeting was held on 04/18/06 at Lied Community School, 5340 Tropical Parkway. Details from this meeting are included in the staff report for General Plan Amendment (GPA-12847).	

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	9.45
Net Acres	9.39

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates)
North	Single-family residential	ML (Medium Low Density Residential)	R-1 (Single-family Residential)  R-PD6 (Residential Planned Development – 6 Units Per Acre)
South	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates)
East	Multi-family residential	City of North Las Vegas	City of North Las Vegas
West	Undeveloped	ML (Medium-Low Density Residential)  Pf (Public Facilities)	R-E (Residence Estates)  C-V (Civic)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>		X	N/A
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>		X	N/A
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>	X		Y

## DEVELOPMENT STANDARDS

*Per Title 19.08:*

<b><i>Standard</i></b>	<b><i>Required/Allowed</i></b>	<b><i>Provided</i></b>	<b><i>Compliance</i></b>
Min. Lot Size	6,500 SF	408,925 SF	Y
Min. Setbacks			
• Front	20 Feet	328 Feet	Y
• Side	5 Feet	265 Feet	Y
• Corner	5 Feet	40 Feet	Y
• Rear	20 Feet	20 Feet	Y
Min. Distance Between Buildings	10 Feet	20 Feet	Y
Max. Building Height	2 Stories/35 Feet	3 Stories/38.5 Feet*	Y
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Screened	Screened	Y

\* Per Title 19.08.040 in the R-3 (Medium Density Residential) District the height limit for senior citizen apartment developments shall be three stories or forty feet, whichever is less, upon approval of a Site Development Plan in accordance with Section 19.18.050. Senior citizen apartment developments that exceed the permitted height limit may be permitted upon approval of a Special Use Permit in accordance with Sections 19.04.050 and 19.18.060.

## ANALYSIS

The standard permissible building height in the proposed R-3 (Medium Density Residential) is two stories or 35 feet, whichever is less. However; per Title 19.08.040 in the R-3 District the height limit for senior citizen apartment developments shall be three stories or forty feet, whichever is less, upon approval of a Site Development Plan in accordance with Section 19.18.050. Senior citizen apartment developments that exceed the permitted height limit may be permitted upon approval of a Special Use Permit in accordance with Sections 19.04.050 and 19.18.060. This Special Use Permit is intended to satisfy this requirement.

The proposed building height is three stories and 38.5 feet. This is approximately a nine percent (9%) increase from the typical standard height in the R-3 (Medium Density Residential) District. The nearest single-family residential property is to the north across Deer Springs Way over 100 feet from the proposed structure. Due to the minor increase in overall height and limited effect on surrounding properties, approval of this request is recommended

## FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed use as an Assisted Living Apartment Complex is considered appropriate for this location. Development in the immediate vicinity is both residential and commercial. The adjacent residential development carries a ML (Medium Low Density Residential) land use designation. The adjacent parcel to the west has also been designated by the Department of Public Works for future civic development.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The subject site is physically suitable for the type and intensity of land use proposed.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The site will gain access from Decatur Boulevard a 120-foot Parkway Arterial and Deer Springs Way an 80-foot Secondary Collector. These streets will provide adequate access to and from the subject property.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

Approval of this Special Use Permit is consistent with the objectives of the General Plan and will not compromise the public health or the general welfare.

5. **The use meets all of the applicable conditions per Title 19.04.**

There are no special conditions related to this Special Use Permit.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 3

**NOTICES MAILED** 515 by City Clerk

**APPROVALS** 1

**PROTESTS** 3